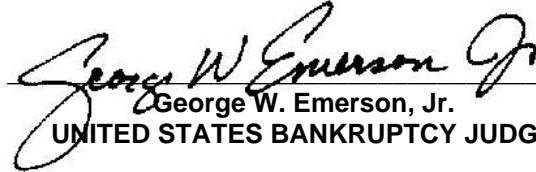




Dated: June 17, 2020
The following is SO ORDERED:


George W. Emerson, Jr.
UNITED STATES BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

**IN RE: WILLIE JAMES LOTT, SR.,
DEBTOR**

**CASE NO. 20-21397
CHAPTER 13**

**RUSHMORE LOAN MANAGEMENT SERVICES,
LLC AS SERVICER FOR U.S. BANK TRUST
NATIONAL ASSOCIATION, NOT IN ITS
INDIVIDUAL CAPACITY BUT SOLELY AS
OWNER TRUSTEE FOR THE FOR LEGACY
MORTGAGE ASSET TRUST 2020-GS1**

MOVANT

VS.

**WILLIE JAMES LOTT, SR., Debtor;
and SYLVIA F. BROWN, Trustee**

RESPONDENTS

**CONSENT ORDER WITHDRAWING
MOVANT'S OBJECTION TO CONFIRMATION**

This matter having come before the Court pursuant to the Objection to Confirmation filed by Rushmore Loan Management Services, LLC as servicer for U.S. Bank National Association, not in its individual capacity but solely as owner trustee for Legacy Mortgage Asset Trust 2020-GS1 (hereinafter "Movant"), regarding the real property commonly known as 1777 Prado Avenue, Memphis, TN 38116 (hereinafter, the "Real Property"), and the Court being fully advised, finds that

the Debtor seeks to surrender the Real Property and agrees to the termination of the automatic stay and co-debtor stay. Therefore, the Objection to Confirmation filed by Movant is hereby **WITHDRAWN**, the Real Property is **SURRENDERED** by the Debtor to Movant, *and the automatic stay and co-debtor stay are* **TERMINATED** as to Movant, its successors and assigns, and the Real Property, being more particularly described as follows:

**LOT 142, SECTION "B", FIRST ADDITION, OAKSHIRE SUBDIVISION
OF RECORD IN PLAT BOOK 29, PAGE 15, OF THE RECORDS OF THE
REGISTERS OFFICE OF SHELBY COUNTY, TENNESSEE, TO
WHICH PLAT REFERENCE IS MADE FOR A MORE PARTICULAR
DESCRIPTION OF SAID PROPERTY**

Movant may proceed with regard to its claim as if the Debtor did not file bankruptcy, including applying post-petition payments to the contractual due date, and may reanalyze the escrow account to recover any projected escrow shortage due on the date of the filing of the case. Movant may contact co-borrower/co-debtor in seeking payment of any shortage or deficiency.

Movant, its successors and assigns, are also free to proceed with all remedies against said real property, including (if appropriate) initiating foreclosure proceedings. In that event, if there are any excess proceeds following the disposition of the collateral that the Debtor would be entitled to shall be remitted to the Chapter 13 Trustee to first be applied to general unsecured creditors with any remaining funds to be disbursed pursuant to the plan.

The Chapter 13 Trustee shall disallow the balance of the Proof of Claim filed by Movant (Claim no. 5-1) for the purpose of Chapter 13 Trustee distribution and take all necessary actions to implement the terms and payment plan set forth herein.

IT IS SO ORDERED.

APPROVED:

Attorney for the Debtor(s):

William W. Newell (with permission by Brent Heilig)
William W. Newell
4466 Elvis Presley Blvd. Suite 310
Memphis, TN 38116

Trustee:

/s/ Sylvia F. Brown

Sylvia F. Brown
200 Jefferson Avenue
Suite 1113
Memphis, TN 38103

WILSON & ASSOCIATES, P.L.L.C.
5050 Poplar Avenue, Suite 1015
Memphis, Tennessee 38157
(901) 578-9914

By: /s/ Brent Heilig

Joel W. Giddens (016700)
Heather Martin-Herron (032248)
Alexandra Bradley (034703)
Kathryn Lachowsky-Khan (037090)
Luke H. Neder (028444)
Brent Heilig (023681)
Attorneys for Movant

NAMES AND ADDRESSES OF ENTITIES SERVED:

William W. Newell
Attorney at Law
4466 Elvis Presley Blvd. Suite 310
Memphis, TN 38116

Sylvia F. Brown
Trustee
200 Jefferson Avenue Suite 1113
Memphis, TN 38103

Willie James Lott, Sr
Debtor(s)
18 E. Mitchell Road
Memphis, TN 38109

and ADDITIONAL: PARTIES (if required) AS FOLLOWS:



WILSON & ASSOCIATES

ATTORNEYS AT LAW

An affiliate of The Wilson Law Group

THIS FIRM PRACTICES IN MULTIPLE STATES AND MAY BE CONSIDERED TO BE A DEBT COLLECTOR IN SOME JURISDICTIONS. TO THE EXTENT IT IS APPLICABLE, THE FOLLOWING NOTICE IS PROVIDED: THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED CAN BE USED FOR THE PURPOSE OF COLLECTING THE DEBT.

June 16, 2020

William W. Newell, Esquire
Attorney at Law
4466 Elvis Presley Blvd. Suite 310
Memphis, TN 38116

RE: Willie James Lott, Sr and Jacqueline LaShula Lott
1777 Prado Avenue
Memphis, TN 38116
W&A No. 674-323573
USBC No. 20-21397, Chapter 13

Dear William W. Newell:

Enclosed for your consideration and execution is a Consent Order Withdrawing Movant's Objection to Confirmation to be entered in the captioned case. If the form and content thereof meet with your approval, please execute same and return it to me at your earliest convenience. I will forward same to the Chapter 13 Trustee for execution and entry by the Court.

If my office has not received the signed Order back from your office within ten (10) days from the date of this letter, then I will assume that you do not object to the terms contained therein and will enter it without signature pursuant to Local Bankruptcy Rule 9074-1(d).

Thank you for your consideration. If you have any questions, please do not hesitate to contact me.

Sincerely,

WILSON & ASSOCIATES, P.L.L.C.

MI
Enclosure